

SENATOR LAMB: Mr. President and members, this bill, as the Clerk read, has to do with the detention of overweight trucks and the committee amendment clarifies the situation in the release of those vehicles by either the operator or the owner. The committee amendment requires any bond or cash deposit to be in an amount not less than the sum of the costs and the appropriate fine levied for the violation. The owner or lessee of a vehicle, as well as an operator, may execute the bond or cash deposit to release the vehicle. Finally, the amendment would require that any towing or storage cost shall be paid prior to the release of the vehicle. I would move the adoption of the committee amendment, Mr. Chairman.

SPEAKER BARRETT: Thank you. For discussion purposes on the committee amendments, Senator Schmit.

SENATOR SCHMIT: Mr. President, I would like to have Senator Lamb or Senator Beyer comment upon this. It was my understanding that the bill was only to apply to out-of-state vehicles. I'm not sure that we can do that, number one. Number two, I was under the impression that the bill is not supposed to apply to livestock trucks because of the obvious problems that can develop if you detain a truck loaded with livestock either in winter weather or in the summertime. The adverse impacts, of course, can be very, very substantial. So, Senator Lamb, would you want to comment first and then perhaps Senator Beyer.

SPEAKER BARRETT: Senator Lamb.

SENATOR LAMB: Yes, Senator Schmit. Of course, we are discussing the committee amendments. I don't...I think you are really discussing the bill but we could do that also. I have some concern in regard to livestock and I plan to have an amendment here on Select File which would, in effect, exempt livestock because I think that should be done. It is true, I believe, that the bill only applies to out-of-state people, primarily because those are the ones that it is difficult to get the fine paid once the truck is released. And whether or not that has constitutional problems, I guess I would refer to Senator Beyer.

SENATOR SCHMIT: Could you comment on that, please, Senator Beyer?

SPEAKER BARRETT: Senator Beyer, would you respond?